CVILLE PLANS TOGETHER

Steering Committee Meeting

Zoning Rewrite Modules 2 & 3

May 2023

Welcome!

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Agenda

- Introduction & Schedule Updates
- Module 2 (Development Standards) Overview
- Steering Committee Questions & Comments
- Short Break
- Module 3 Overview
  - Article 5 – Subdivision & Development Plan Standards
  - Article 6 – Administration
- Steering Committee Questions & Comments
- Next Steps

There will not be a community comment period during this meeting. For community members not on the Steering Committee, please refer to CvillePlansTogether.com for more information about how to submit feedback on the Draft Zoning Ordinance.

Review All Modules on the Website

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CvillePlansTogether.com/draft-zoning

General Materials:

1. **Zoning FAQ:** PDF
2. **Final Zoning Diagnostic + Approach Report:** PDF
    - This document was shared and discussed with the community in summer 2022 and was finalized following a work session with City Council and Planning Commission in fall 2022.

» **Review Module 1 (Draft Zoning Districts, Uses, and Map)**

» **Review Module 2 (Draft Development Standards)**

» **Review Module 3 (Subdivision & Development Plan Standards; Zoning Administration)**

Timeline

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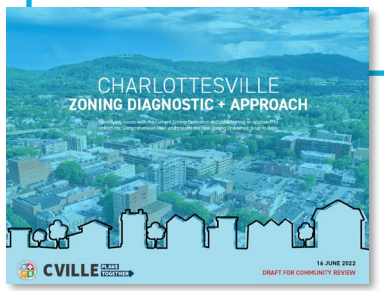
Early-Mid 2022

Overview of zoning ordinance changes that are needed, and the proposed approach to the updates



Late 2022 - Early 2023

Draft, obtain community input on, and revise draft zoning ordinance modules

Late Summer/ Fall 2023

Hearings and adoption of updated zoning ordinance

Community outreach and input milestones (Summer 2022, Early 2023, Late Summer 2023).

What is a “Module”?

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- We shared the draft Zoning Ordinance in three parts, or “modules”.
- Each module contains sections of the Zoning Ordinance.

Module 1

- **Zoning Districts, Rules of Measurement, Use Table, Zoning Map**
- *Available now*

Module 2

- **Development Standards (landscaping, parking, signs, lighting, etc.)**
- *Available now*

Module 3

- **Zoning Administration (review processes)**
- *Available now*

Module 2 (Development Standards)

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Module 2 Contents

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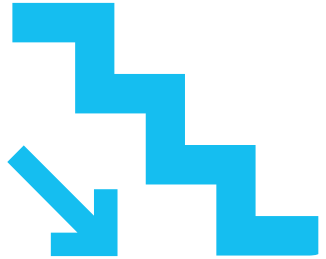
Div. 4.1. Applicability

Div. 4.2. Development Bonuses

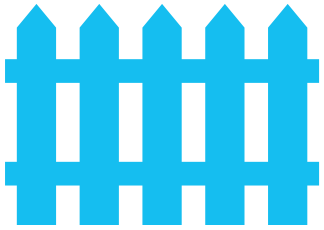
Div. 4.4. Blocks

Div. 4.5. Multi-Modal Access and Parking

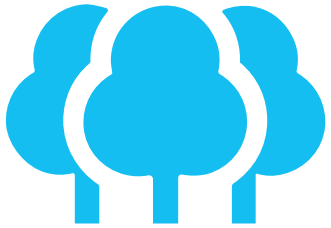
Div. 4.6. Vehicle Access and Parking



Div. 4.7. Transitions and Screening

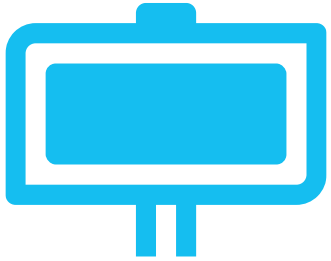


Div. 4.8. Fences and Walls

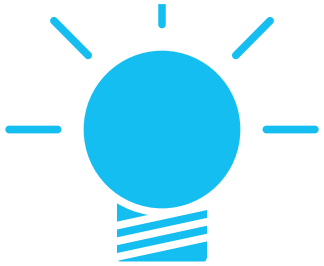


Div. 4.9. Landscaping

Div. 4.10. Environmental Sustainability



Div. 4.11. Signs



Div. 4.12. Outdoor Lighting

How to Use the Development Standards

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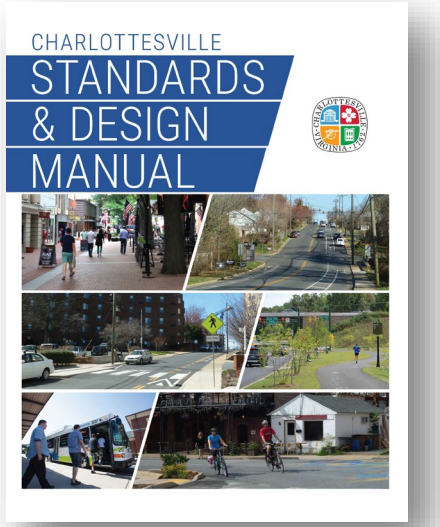
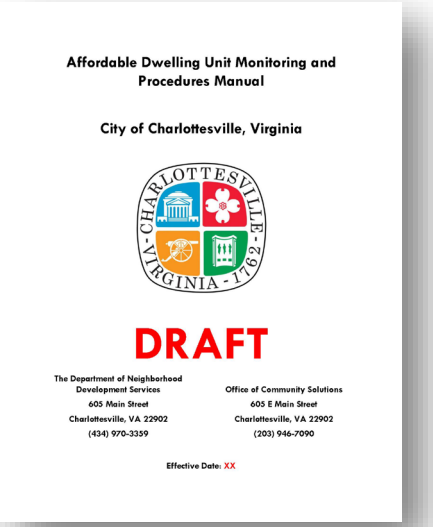
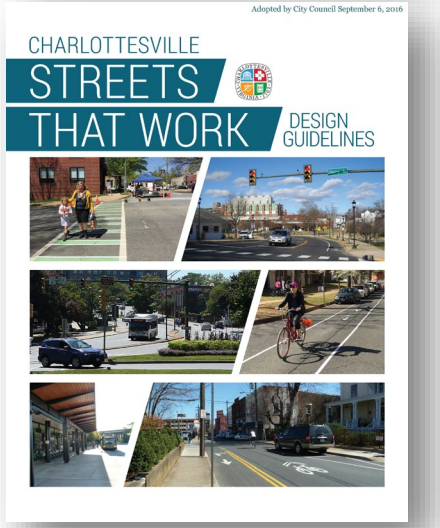
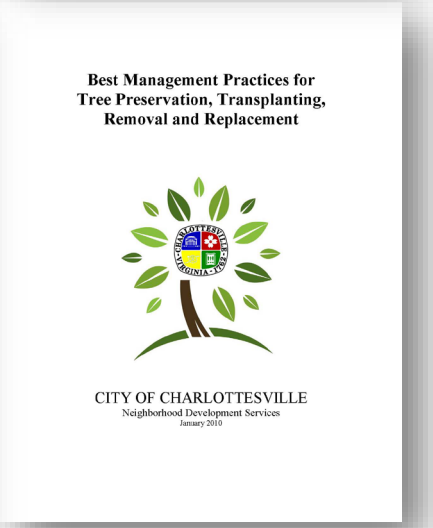
- Development Standards apply to certain types of project activities, regardless of the district.
- Development Standards use other companion documents including:
  - Standards and Design Manual
  - Affordable Dwelling Unit Monitoring and Procedures Manual
  - Streets That Work Plan
  - Best Management Practices for Tree Preservation Manual








Best Management Practices for Tree Preservation, Transplanting, Removal and Replacement
CITY OF CHARLOTTESVILLE
Neighborhood Development Services
January 2010

How to Use the Dev. Standards Pages

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- The Applicability Table provides more information on which standards apply to which activities.
- The Development Standards format differs from the Zoning Districts format. Each standard includes:
  - Intent
  - Applicability
  - Standards
  - Measurement

		PROJECT TYPE						
DEVELOPMENT STANDARDS		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance and Repair
Development Bonuses	*Sec. XX.XX*	●	●	○	○	●	●	○
Streetscape	*Sec. XX.XX*	●	○	●	○	○	○	○
Blocks	*Sec. XX.XX*	●	○	○	○	○	○	○
Pedestrian Access	*Sec. XX.XX*	●	●	●	○	○	○	○
Bicycle Parking	*Sec. XX.XX*	●	●	●	○	●	○	○
Vehicle Access	*Sec. XX.XX*	●	○	●	○	○	○	○
Vehicle Parking	*Sec. XX.XX*	●	●	●	○	○	○	○
Parking Design	*Sec. XX.XX*	●	●	●	○	○	○	○
Other Vehicle Use Areas	*Sec. XX.XX*	●	●	●	○	●	○	○
Garage Design	*Sec. XX.XX*	●	●	●	○	○	○	○
Transitions	*Sec. XX.XX*	●	○	○	○	●	○	○
Screening	*Sec. XX.XX*	●	●	●	○	●	○	○
Fences and Walls	*Sec. XX.XX*	●	○	●	○	●	●	○
Landscaping	*Sec. XX.XX*	●	●	●	○	○	○	○
Environmental Sustainability	*Sec. XX.XX*	●	●	●	○	○	○	○
Signs	*Sec. XX.XX*	●	●	○	●	●	●	○
Lighting	*Sec. XX.XX*	●	○	●	○	○	○	○

KEY: ● = Standards generally apply ○ = Standards do not apply

Key Updates: Development Bonuses

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Development bonuses in zoning are one way that we are working to address housing and affordability needs.

What is "affordable"?

- Housing unit where monthly payments for housing (including utilities) do not exceed 30% of monthly income for someone whose income level is at or below **60% of Area Median Income** (AMI).
- In 2022, **60% of AMI** is **$62,900** for a four-person household, which means that monthly costs should be **$1,573 or lower**.

Funding	Make a **strong and recurring financial commitment** to address housing needs in Charlottesville.
Governance	Build governance structures that **institutionalize an equitable and efficient implementation** of the Affordable Housing Plan.
Land Use	Revise **regulations and development approval processes** to increase the supply of housing and slow the increase in housing cost, while protecting lower income and other marginalized communities.
Tenants' Rights	Change local policy and advocate at the state level to expand Charlottesville's ability to **support tenants' rights.**
Subsidy	**Focus and align subsidy programs with community-defined priorities** and make changes to increase impacts.

Key Updates: Development Bonuses

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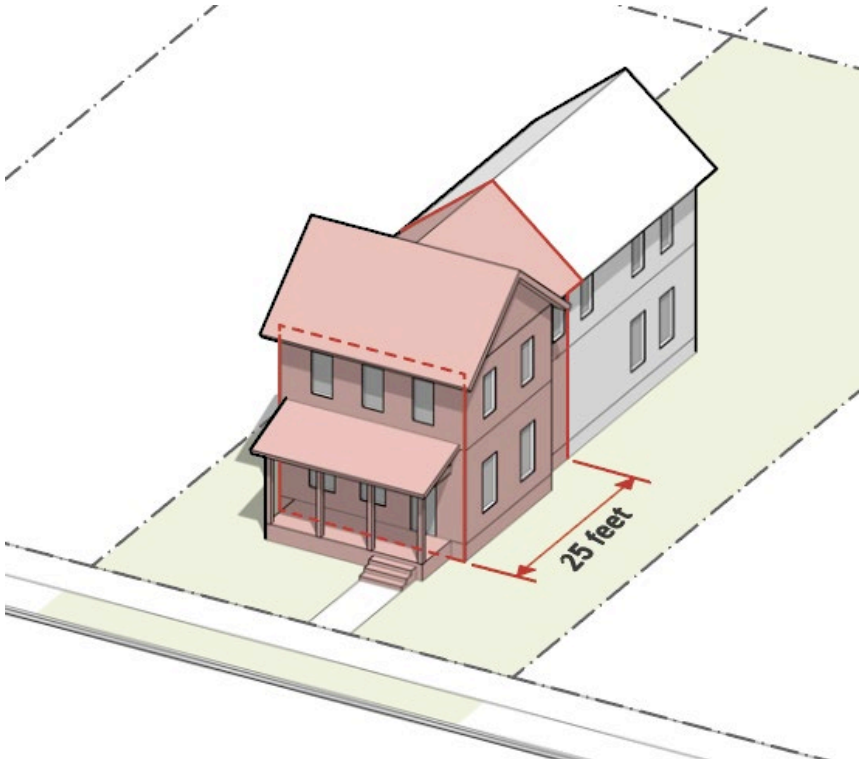
Types of Development Bonuses

- Existing Structure Preservation Bonus
- Affordable Dwelling Units (ADU)
  - ADU Requirement
  - ADU Bonus

Key Updates: Development Bonuses

Existing Structure Preservation Bonus

- **Intent**: To provide an incentive for the preservation and rehabilitation of existing housing stock while implementing the affordable housing goals of the adopted Comprehensive Plan and Charlottesville Affordable Housing Plan.
- **Applicability**: The existing structure bonus applies to any project **Residential A (R-A)** and **Residential B (R-B)** zoning districts.



Key Updates: Development Bonuses

Affordable Dwelling Units

- **Intent**: To provide an incentive for the development of projects that implement the affordable housing goals of the adopted Comprehensive Plan and Charlottesville Affordable Housing Plan.
- **Requirement:** Applies to any project with 10 or more residential dwelling units on a zoning lot in all zoning districts other than the Residential A, Residential B or Residential C zoning districts
- **Bonus:** Applies to any project with residential dwelling units

Key Updates: Development Bonuses

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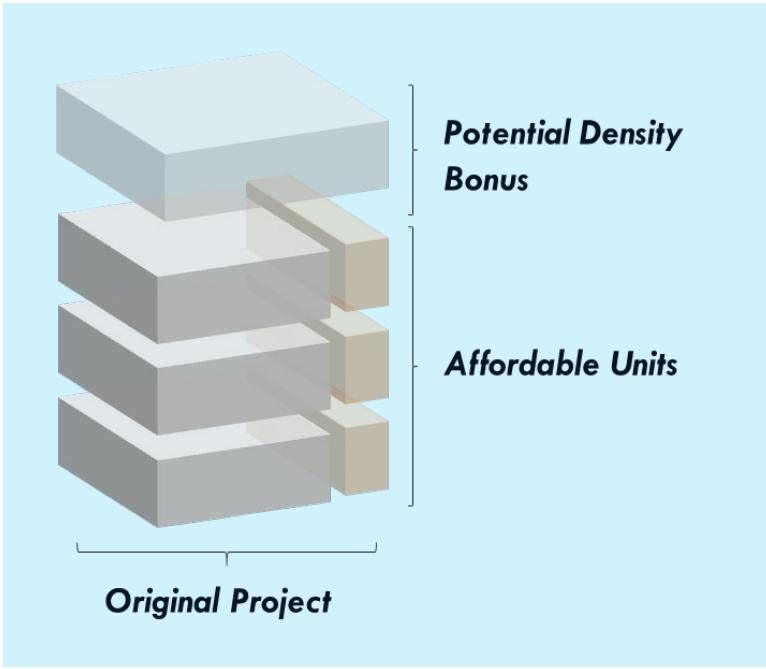
Affordable Dwelling Units

- **Requirement:** 10% of dwelling units must be affordable at 60% AMI or less or developers must pay in-lieu fee
- **Bonus:**
  - For R-A, R-B, and R-C: 100% of dwelling units must be affordable at 60% AMI or less
  - For all other districts: 10% of dwelling units must be affordable at 50% AMI or less
- **Standards:**
  - Defines term of affordability, construction requirements for ADUs, and links to the ADU Monitoring and Procedures Manual



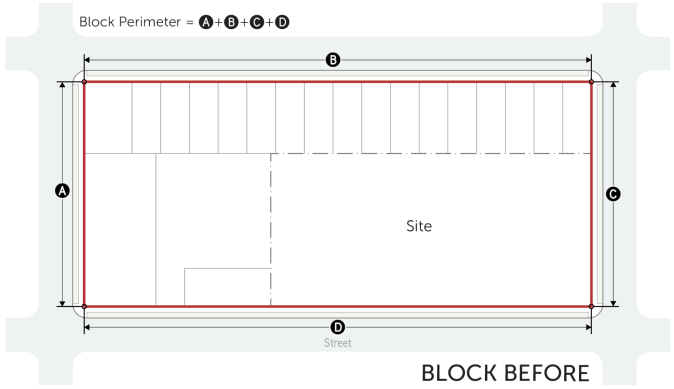
Conceptual Illustration Only

Key Updates: Blocks

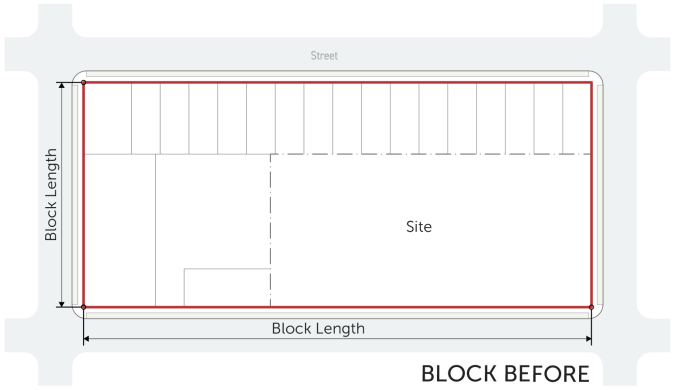
This topic was originally in Module 2 but has been moved to Module 3

CVILLE PLANS TOGETHER

Intent: To provide a well-connected street network with safe and convenient vehicular and pedestrian access within developments and between adjacent developments.



BLOCK BEFORE



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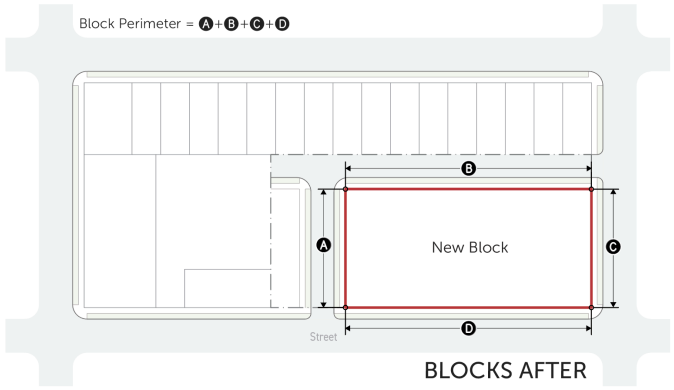
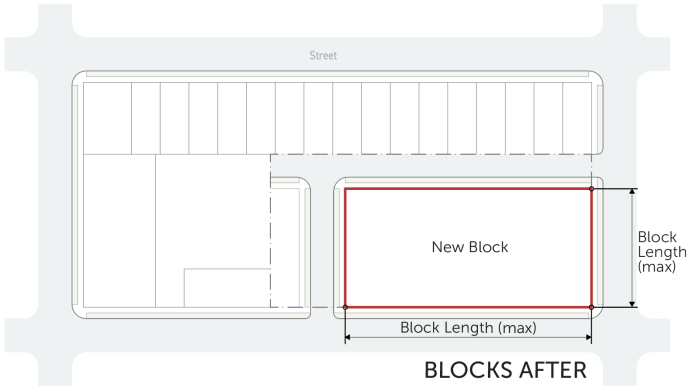


BLOCKS AFTER



BLOCKS AFTER

Key Updates: Streetscapes

This topic was originally in Module 2 but has been moved to Module 3

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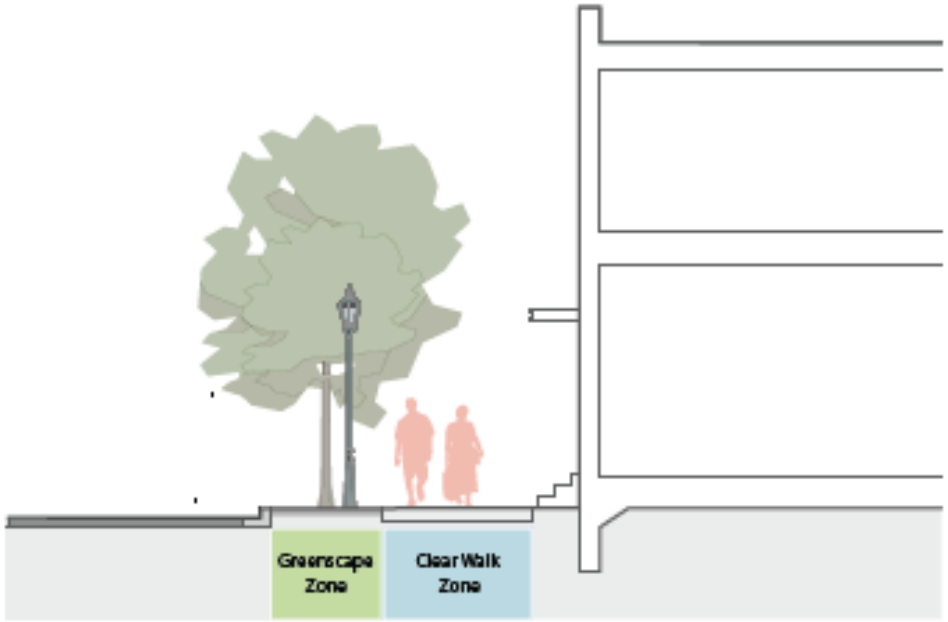
Intent: To help ensure an attractive and inviting public realm that provides a safe and protected walkway for pedestrians.



STREET CLASSIFICATION	MINIMUM WIDTH REQUIRED	
	Clear Walk Zone	Greenscape Zone
Mixed Use A	7′	8′
Mixed Use B	7′	6′
Downtown	6′	8′
Industrial	6′	6′
Neighborhood A	6′	5′
Neighborhood B	6′	5′
Local	6′	5′

Key Updates: Multi-Modal Access

Pedestrian Access

Intent: To promote walkability by:

- Improving pedestrian access from the public realm to the interior of buildings;
- Ensuring that required entrances are conveniently and effectively accessible to pedestrians; and
- Activating the public realm with building access points and improved convenient pedestrian circulation through large sites to an extent and frequency appropriate to the context.

Bicycle Parking

Intent: To promote bicycling as an alternative to motor vehicle transportation and help ensure safe, secure, accessible, and convenient storage of bicycles for all users.

- Short-term bicycle parking
- Long-term bicycle parking

Key Updates: Vehicle Access & Parking

Motor Vehicle Access

Intent: To ensure motor vehicle access is designed to support the safety of all users by minimizing conflicts with pedestrians, cyclists, transit vehicles, micro-mobility devices, and motor vehicles on the abutting public street and to avoid detrimental effects on the surrounding public realm, while providing sufficient access to vehicle parking and other motor vehicle use areas.

- Parking lot and parking structure design
- Stacking and loading

Vehicle Parking

Intent: To reduce parking demand, support the use of alternative forms of transportation, promote reuse and redevelopment of existing buildings, reduce the overall cost of construction and development, and increase the overall efficiency and use of taxable land within the City.

- No required minimum parking
- Large project require a Transportation Demand Management (TDM) plan

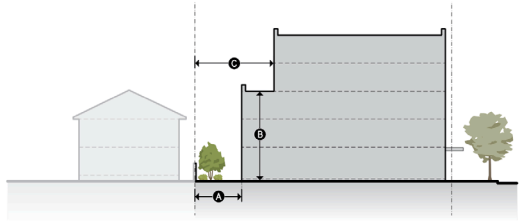
Key Updates: Transitions

CVILLE PLANS TOGETHER

Intent: To improve the compatibility of new development with its surrounding context where the scale of development changes between lots if differing zoning districts.

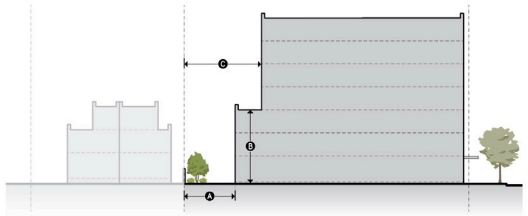
A transition consists of a combination of a screened area along the affected lot line, building setbacks, and height step - backs to push the mass of the building away from abutting districts above a specified height.

TRANSITION TYPE A



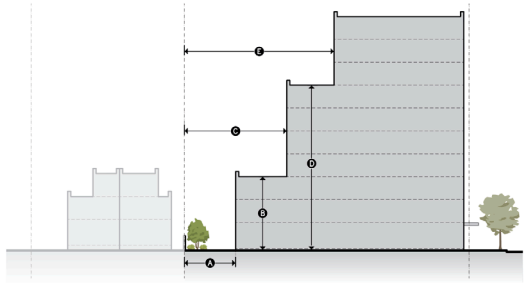
TRANSITION AREA		UPPER STORY STEP-BACK	
A Building setback (min)	15'	B Height before step-back (max stories/feet)	3 / 44'
Transition screen type	Low	C Upper story step-back (min)	25'

TRANSITION TYPE B



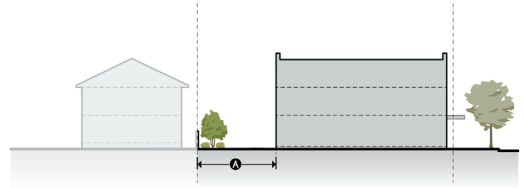
TRANSITION AREA		UPPER STORY STEP-BACK	
A Building setback (min)	20'	B Height before step-back (max stories/feet)	3 / 44'
Transition screen type	Moderate	C Upper story step-back (min)	30'

TRANSITION TYPE C



TRANSITION AREA		UPPER STORY STEP-BACK	
A Building setback (min)	20'	B Height before first step-back (max stories/feet)	3 / 44'
Transition screen type	Moderate	C First upper story step-back (min)	40'
		D Height before second step-back (max stories/feet)	7/ 100'
		E Second upper story step-back (min)	60'

TRANSITION TYPE D



TRANSITION AREA		UPPER STORY STEP-BACK	
A Building setback (min)	30'	Height before step-back (max stories/feet)	None
Transition screen type	High	Upper story step-back (min)	None

Key Updates: Landscape

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Tree Preservation and Replacement

Intent: To provide standards for the preservation of trees as a part of the land development process, including the protection of specimen trees while providing for reasonable use of land, in support of a healthy urban ecological system.

Planting Requirements

Intent: To provide the necessary supplemental information for all applicable planting and landscaping requirements of this Code, in support of a healthy urban ecological system.

2. **Tree Cover Requirements**

   a. All projects must include provisions for the preservation and planting of trees on the site to the extent that, at 10 years from planting, minimum tree canopy cover will be provided as follows:

Zoning Districts	Percentage of Canopy Cover (min)
Residential	
All R- districts	20%
Residential Mixed Use	
All RX- districts	10%
Corridor Mixed Use	
All CX- districts	10%
Node Mixed Use	
All NX- districts	10%
DX	10%
Industrial	
All IX- districts	10%
Special	
All special districts	15%

Key Updates: Enviro. Sustainability

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Critical Slopes

Intent: To limit development and disturbance of steeply sloped areas near waterways to protect those steeply sloped areas and waterways from the negative impacts of erosion as well as preserve their habitat value.

Discussion

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Short Break (returning 5:50pm)

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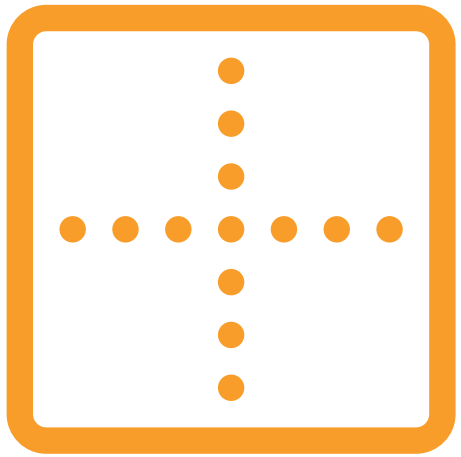
Module 3
(Subdivision & Development Plan Stds.; Administration)

CVILLE PLANS TOGETHER

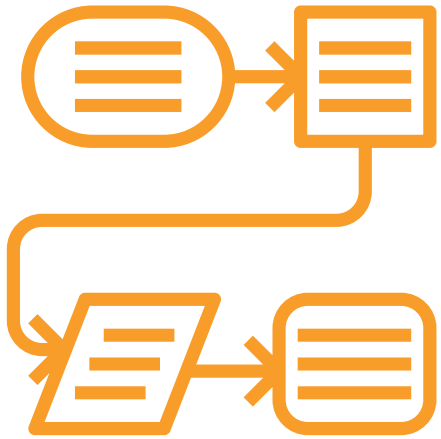
Module 3 Contents



Article 5: Subdivision and Development Plan Standards

- General Provisions
- Subdivision
- Blocks & Access
- Streets
- Utilities
- Fees & Dedications

Parts of this Article were originally contained in Module 2



Article 6: Administration

- Authority
- Approval Processes
- Nonconformities
- Enforcement

We shared one part of this at the Module 2 Open Houses – the “Table of Authority,” which summarizes the review and approval authority

How to Use Subdivision & Development Plan Stds. Pages

CVILLE PLANS TOGETHER

- Applicability Table defines which standards apply, and when (depending on the project type)

		PROJECT TYPE							
STANDARDS		Subdivision	New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance and Repair
Subdivision	*Sec. XX.XX*	●	○	○	○	○	○	○	○
Blocks and Access	*Sec. XX.XX*	●	●	○	●	○	○	○	○
Streets	*Sec. XX.XX*	●	●	○	●	○	○	○	○
Utilities	*Sec. XX.XX*	●	●	○	●	○	○	○	○
Fees and Dedications	*Sec. XX.XX*	●	●	○	●	○	○	○	○

KEY: ● = Standards generally apply ○ = Standards do not apply

Key Updates: Subdivision

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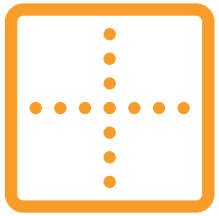
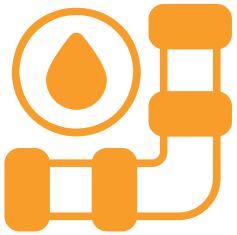


Lots

- Standards for creating regularly shaped lots
- Standards for lots to front on streets



Easements

- Standards for utility access (Ex: water and sewer lines, stormwater drainage)
- Standards for vehicle and pedestrian access (Ex: cross-access, driveways, walkways)

Key Updates: Blocks, Access, Streets

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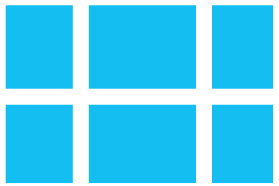

Blocks and Access

- Standards from Module 2 (Development Standards) integrated into Article 5

Streets

- Standards from Module 2 (Development Standards) integrated into Article 5

Utilities

- Standards from current code (Chapter 29) integrated into Article 5

Fees and Dedications

- Standards from current code (Chapter 29) integrated into Article 5

How to Use the Administration Pages

CVILLE PLANS TOGETHER

- The Table of Authority summarizes the review and approval authority of various review bodies and officials that implement and administer the Code.

DIV. 6.1. **AUTHORITY**

6.1.1. Summary of Review Authority

The following table summarizes the review and approval authority of various review bodies and officials that implement and administer this Code.

		REVIEW AND APPROVAL AUTHORITY						PUBLIC NOTICE			
APPROVAL PROCESSES		Zoning Administrator	Subdivision Administrator	Board of Architectural Review	Board of Zoning Appeals	Planning Commission	City Council	Mailed	Published	Posted	Website
Comprehensive Plan Review											
Comprehensive Plan Adoption	Sec. XX.XX	R				R-PH	D-PH		Y		Y
Comprehensive Plan Amendment	Sec. XX.XX	R				R-PH	D-PH		Y		
Review of Public Facilities	Sec. XX.XX	R				D	A				
Zoning Amendment	Sec. XX.XX										
Zoning Text Amendment		R				R-PH	D-PH		Y		
Zoning Map Amendment (Rezoning)											
1 to 25 parcels		R				R-PH	D-PH	Y	Y	Y	
More than 25 parcels		R				R-PH	D-PH		Y		
Historic Review											
Minor Historic Review	Sec. XX.XX	D		A							
Major Historic Review	Sec. XX.XX	R		D			A		Y	Y	
Corridor Review	Sec. XX.XX	D				A					
Development and Subdivision Review											
Development Plan	Sec. XX.XX	D				A					
Minor Subdivision	Sec. XX.XX		D			A					
Major Subdivision	Sec. XX.XX										
Preliminary Plat			R			D					
Final Plat			D			A					

KEY: R = Review / Recommend D = Final Decision -PH = Public Hearing -PM = Public Meeting A = Appeal
Y = Required Notice Y* = Required Notice for Appeals

		REVIEW AND APPROVAL AUTHORITY						PUBLIC NOTICE			
APPROVAL PROCESSES		Zoning Administrator	Subdivision Administrator	Board of Architectural Review	Board of Zoning Appeals	Planning Commission	City Council	Mailed	Published	Posted	Website
Permit Review	Sec. XX.XX										
Tree Removal Permit		D			A-PH				Y*		
Floodplain Permit		D			A-PH				Y*		
Sign Permit		D			A-PH				Y*		
Temporary Use Permit		D			A-PH				Y*		
Relief											
Administrative Modification	Sec. XX.XX	D			A-PH			Y	Y*		
Variance	Sec. XX.XX	R			D-PH			Y	Y	Y	
Floodplain Variance	Sec. XX.XX	R			D-PH			Y	Y	Y	
Special Use Permit	Sec. XX.XX	R				R-PH	D-PH	Y	Y	Y	
Critical Slopes Special Exception	Sec. XX.XX	R				R-PM	D-PM	Y			Y

KEY: R = Review / Recommend D = Final Decision -PH = Public Hearing -PM = Public Meeting A = Appeal
Y = Required Notice Y* = Required Notice for Appeals

How to Use the Table of Authority

CVILLE PLANS TOGETHER

- Example: Zoning Amendment Processes

APPROVAL PROCESSES		REVIEW AND APPROVAL AUTHORITY						PUBLIC NOTICE			
		Zoning Administrator	Subdivision Administrator	Board of Architectural Review	Board of Zoning Appeals	Planning Commission	City Council	Mailed	Published	Posted	Website
Zoning Amendment	*Sec. XX.XX*										
Zoning Text Amendment		R				R-PH	D-PH		Y		
Zoning Map Amendment (Rezoning)											
1 to 25 parcels		R				R-PH	D-PH	Y	Y	Y	
More than 25 parcels		R				R-PH	D-PH		Y		

How to Use Approval Process Pages

CVILLE PLANS TOGETHER

6.2.10. Minor Subdivision

A. Applicability

1. Minor Subdivision applies to the division of land for the purpose of sale, lease, or building development when:
   a. No more than 5 zoning lots are created;
   b. Zoning lots are subdivided into sublots; and
   c. No new street or right-of-way is created to serve the project.
2. Minor Subdivision applies to boundary line adjustments.

B. Application Requirements

1. Pre-Application Conference

a. Before submitting a Minor Subdivision application, an applicant must schedule a pre-application conference with the Subdivision Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Zoning Administrator.

b. At the pre-application conference, the Subdivision Administrator will determine if the application qualifies as a Minor Subdivision. If the Subdivision Administrator determines the application qualifies as a Major Subdivision, the application will be processed according to the procedures in *Sec. XX, Major Subdivision*.

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Subdivision Administrator. Other general submittal requirements for all development review applications are listed in *Sec. XX, Common Review Procedures*.

C. Review and Decision Process

1. Administrative Decision

a. Once the Subdivision Administrator determines the application is complete, the Subdivision Administrator will review the proposed application against the requirements of this Code and other applicable technical requirements of the City.

b. In reviewing the application, the Subdivision Administrator will distribute the application for consultation and review by other City departments.

c. Following review, the Subdivision Administrator will approve, approve with conditions, that bring the application into conformance with this Code and other technical requirements of the City, or deny the application.

d. Review Time

i. The Subdivision Administrator must act on any Final Plat application within 60 days after the complete application has been officially submitted for approval, or within 45 days after the application has been modified, corrected, and resubmitted for approval.

ii. If approval of a feature of a Final Plat application by a state agency is necessary, the Subdivision Administrator must forward the application to the state agency within 10 days of receipt of such application, and the Subdivision Administrator must act on the application within 35 days of receipt of approvals from all state agencies.

D. Criteria for Boundary Line Adjustments

1. The boundary lines of any lot or parcel of land may be vacated, relocated, or otherwise altered by recordation of a deed or boundary line adjustment plat, without vacation of a recorded plat, provided that no easements or utility rights-of-way located along any lot lines to be vacated may be extinguished or altered without the express consent of all persons holding any interest therein, and such consent must be evidenced by the signatures of such persons on the deed.
2. The action must not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas. The deed reflecting the boundary line adjustment will reference the recorded plat by which the applicable lot lines were originally created, and the deed must be approved in writing, on its face, by the City Attorney.
3. The lots affected by a boundary line adjustment must have been:
   a. Part of an otherwise valid and properly recorded and approved subdivision plat; or
   b. Part of a properly recorded deed prior to the adoption of the first subdivision ordinance of the City that required an approved subdivision plat under the applicable circumstances.

E. Action After the Decision

1. Permits for Construction

Upon approval of a Development Plan, permits for construction required by the City Code of Ordinances Chapter 5 - Building Regulations; Property Maintenance and Chapter 10 - Water Protection may be prepared and submitted.

2. Appeal of Decision

For applications decided by the Subdivision Administrator, the applicant will have 10 days from the date of the director's decision to appeal the decision to the Planning Commission, in accordance with the *Code of Virginia § 15.2-2259*.

Key Updates: Approval Processes

CVILLE PLANS TOGETHER

Entrance Corridors

- Review by the Zoning Administrator, appeals to Planning Commission

Development Plans

- Required for additions and new construction to check zoning compliance
- Then project developer can apply for engineering and building permits

Tree Removal Permit

- Allows for review for compliance with minimum tree canopy requirements

Administrative Modification

- Allows Zoning Administrator to approve up to 10% modification to some dimensional standards
- Does not allow for any modification to standards such as density, height, development bonuses, or use standards

Public Process

- Requirements for community meetings and public hearings in relation to development proposals are set according to state law – extra meeting requirements are removed.

Key Updates: Nonconformities & Enforcement

Nonconformities

- Standards for existing lots, buildings or structures, and uses
- Includes rules for ability to continue, permitted changes, ability to expand, and allowed alterations or replacement

Enforcement

- Standards from current code (Chapter 34) incorporated in Article 6

Discussion

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Thank you!

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CvillePlansTogether.com/draft-zoning/